S.B.CRIMINAL MISC. BAIL APPLICATION NO.3366/2006

Date : 07.08.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. D.S. Shekhawat for the applicant.
Mr. Vishnu Kachhawaha, Public Prosecutor for State.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The contention of learned counsel for the applicant is that alleged contraband material country made liquor is said to have recovered when the accused-applicant was not at his house. He submits that since no investigation is to be made from the applicant as the recovery has already been effected, he may enlarged on bail.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me.

Prima facie, I find that from the house of the accused-applicant large quantity of liquor was recovered, therefore, present it is not a fit case where the applicant should be given benefit of anticipatory bail under Section 438 Cr.P.C.

Accordingly, the bail application moved under by the applicant under Section 438 Cr.P.C. is rejected.

(SATYA PRAKASH PATHAK), J.

vijayant